

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

BERNHARDT TIEDE, II,

§

§

Plaintiffs,

§

§

v.

§

Civil Action No.

BRIAN COLLIER, et al.

§

§

Defendants.

§

**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS TEXAS
DEPARTMENT OF CRIMINAL JUSTICE AND BRYAN COLLIER'S MOTION TO
DISMISS**

Exhibit 22

Excerpts from TDCJ Statistical Report, Fiscal Year 2022

Texas Department of Criminal Justice



Statistical Report FY 2022

Prepared by Executive Services

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Introduction

The Texas Department of Criminal Justice (TDCJ) Fiscal Year 2022 Statistical Report provides demographic information for a total of 584,928 cases under supervision on August 31, 2022, as well as those received and released throughout the fiscal year. An inmate may have multiple types of supervision and be counted in more than one of the categories provided. The report includes information for both the incarcerated inmate population and the adult population that is supervised in the community.

The **Demographic Highlights** section offers a summary of the characteristics of the incarcerated population that was on hand as of August 31, 2022, and inmates who were received and released during the fiscal year. The characteristics include gender, average age, race, offense, custody, sentence length, and educational achievement measures. This section also includes characteristics of inmates who were under the jurisdiction of the Parole Division and Community Justice Assistance Division.

The **On Hand** section of the report provides an in-depth look at the incarcerated population on August 31, 2022. In addition to comprehensive demographics, this section focuses on the offense, sentence length, and release eligibility of the inmates. Detailed information is provided for the prison, state jail, and Substance Abuse Felony Punishment (SAFP) populations.

The **Receives and Admissions** section includes demographics of inmates who were received by the TDCJ during the fiscal year. Inmates who are received are categorized as New Receives, Parole and Mandatory Supervision Revocations, Parole Out of State Receives for Revocation Processing, and Community Supervision Direct Sentences or Modifications. New receives are inmates who are admitted to the TDCJ who are not under the supervision of the Parole Division. This category also includes inmates who are under the supervision of local Community Supervision and Corrections Departments who have not served in the TDCJ for that offense. Parole and Mandatory Supervision Revocations include inmates who were revoked from parole supervision. Parole Receives for Revocation Processing include inmates being supervised out of state who are returned to the TDCJ and then considered for revocation. Community Supervision modifications include those inmates under the supervision of local Community Supervision and Corrections Departments who are being incarcerated due to unsuccessfully completing the terms of their supervision after being released from the TDCJ on that offense. In addition to demographics, this section also includes offense of record, county of conviction, and sentence information. As a separate category, admissions to the TDCJ include inmates who returned from bench warrant from prior fiscal years and transfers from other TDCJ divisions.

The **Releases and Departures** section provides demographics of inmates who were released from TDCJ custody during the fiscal year. Inmates who were released are categorized as Discharges, Releases to Community Supervision, and Releases to Parole Supervision. Discharges are inmates who are released from the TDCJ either by full expiration of their sentence or by court order. Releases to Community Supervision are inmates who are released to be supervised by local Community Supervisions and Corrections Departments. Releases to Parole Supervision include releases to parole, mandatory supervision, and discretionary

mandatory supervision. These types of releases are under the jurisdiction of the Parole Division. As a separate category, departures from the TDCJ include deaths, executions, transfers between TDCJ divisions, and bench warrant releases that did not return during the fiscal year.

Statistical tables listing categories by county of conviction (i.e., On Hand, Total Receives and Releases by county) have the 30 counties with the highest population in the state according to census population highlighted in **bold**.

An offense is classified as a drug offense if federally designated as a drug offense (NCIC codes begin in 35); as a property offense if federally designated as property (NCIC codes begin in 36-42, 48-63, or 70-73); or as an other offense if federally designated as other (NCIC codes begin 14, 36, or higher than 36) unless the offense is designated as violent.

An offense is classified as violent if federally designated as violent (NCIC codes beginning in 09, 10, 11, 12, 13, or 16); statutorily designated as violent (Article 42A.054, Code of Criminal Procedure); the inmate directly caused or threatened to cause serious bodily harm or death to another individual unless the act was an accident; the inmate forced another party to act in an involuntary manner by use of threats or intimidation or some other form of pressure or force; or the inmate traffics another person with the intent that the trafficked person will engage in forced labor or services.

Demographic Highlights – August 31, 2022 TDCJ On Hand					
		Prison	State Jail	SAFP ¹	Total On Hand
Total		116,684	2,576	2,716	121,976
Gender	Male	108,868	1,944	1,970	112,782
	Female	7,816	632	746	9,194
Race	Black	38,507	601	559	39,667
	White	38,307	1,308	1,299	40,914
	Hispanic	39,185	656	832	40,673
	Other and Unknown Race	685	11	26	722
Average Age (Years)		41.1	38.1	36.7	40.9
Offense	Violent Offense	75,172	47	755	75,974
	Property Offense	9,194	1,085	371	10,650
	Drug Offense	15,410	1,162	1,105	17,677
	Other Offense	16,908	282	485	17,675
Average IQ		90.13	91.54	91.12	90.17
Average Educational Achievement Score		7.32	5.85	5.37	7.24
Custody	Security Detention (1A – 3A)	3,172	N/A	N/A	3,172
	State Jail Special Management (SR)	N/A	23	N/A	23
	Safekeeping (P1 – 7)	1,192	3	N/A	1,195
	G/J4	7,706	53	N/A	7,759
	G/J1 – 3 and OT ²	87,555	2,100	N/A	89,655
	G/J5	4,983	13	N/A	4,996
	Other Custody	12,076	384	2,716	15,176
Average Sentence Length (Years) ³		20.7	1.2	N/A	20.3

Note: ISF inmates are not included.

TDCJ On Hand by Age and Gender⁹

	Male			Female			Total	
	Prison	State Jail	SAFP	Prison	State Jail	SAFP	Number	Percent
14 to 16 Years	3	0	0	0	0	0	3	0.0%
17 Years	23	0	0	2	0	0	25	0.0%
18 to 19 Years	496	14	20	34	3	3	570	0.5%
20 to 29 Years	20,622	454	556	1,493	135	200	23,460	19.2%
30 to 39 Years	32,884	690	700	2,820	221	290	37,605	30.8%
40 to 49 Years	26,822	464	396	1,980	179	166	30,007	24.6%
50 to 59 Years	17,617	248	209	1,094	77	68	19,313	15.8%
60 Years and Older	10,401	74	89	393	17	19	10,993	9.0%
Total	108,868	1,944	1,970	7,816	632	746	121,976	100.0%
Youngest	16	18	18	17	18	18	16	
Oldest	93	73	80	93	68	73	93	
Average	41.2	38.0	36.9	39.4	38.4	36.3	40.9	

TDCJ On Hand by Race and Gender⁹

	Male			Female			Total	
	Prison	State Jail	SAFP	Prison	State Jail	SAFP	Number	Percent
Black	36,672	490	459	1,835	111	100	39,667	32.5%
White	34,229	903	821	4,078	405	478	40,914	33.5%
Hispanic	37,337	541	669	1,848	115	163	40,673	33.3%
Other	630	10	21	55	1	5	722	0.6%
Total	108,868	1,944	1,970	7,816	632	746	121,976	100.0%

Note: Individual percentages may not total 100% due to rounding.

ISF inmates are not included.

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